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U.S. DISTRICT COURTProb 12
(Rev. 3/88)

**UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA**

U.S.A. vs. Joy Lynn Sexton**Docket No. 04-00041-007 Erie**

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF U.S. PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Joy Lynn Sexton, who was placed on supervision by the Honorable Maurice B. Cohill, Jr., sitting in the Court at Pittsburgh, Pennsylvania, on the 7th day of December 2005, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall pay a \$100 special assessment.
- Shall pay restitution in the amount of \$12,467.60.
- Shall not possess a firearm or destructive device.
- Shall not illegally possess a controlled substance.
- Shall pay any remaining restitution through monthly installments of not less than 10 percent of gross monthly income.
- Shall provide the probation officer with access to any requested financial information.
- Shall not incur new credit charges or open additional lines of credit without approval of the probation officer.
- Shall participate in a program of testing and, if necessary, treatment for substance abuse and alcohol as directed by the probation officer.
- Shall consume no alcohol.

12-07-05: Conspiracy to Defraud the United States; 24 months' imprisonment, 3 years' supervised release.
07-20-07: Released to supervision; Currently supervised by U.S. Probation Officer Verne Howard, Jr.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS
FOLLOWS:**

Your Petitioner reports that the releasee has violated the following conditions of supervised release:

**The defendant shall not commit another federal, state, or local crime and shall not
illegally possess a controlled substance.**

Your Petitioner reports that on September 9, 2007, a private criminal complaint was filed by Loss Prevention Investigator Anthony Comer of Boscov's department store at South Hills Village. Ms. Sexton was charged with Retail Theft and Criminal Conspiracy. On September 2, 2007, the defendant failed to appear for her preliminary hearing. On September 14, 2007, a warrant was issued by Magisterial District Judge Robert C. Wyda. Ms. Sexton was subsequently arrested on October 15, 2007, for an unrelated retail theft in the West Mifflin area. At this time, no charges have been filed; however, they are forthcoming.

On September 29, 2007, the defendant was arrested by the Ross Township Police Department and charged with Retail Theft (two counts) and Possession of Drug Paraphernalia (one count). This incident occurred at Ross Park Mall (Macy's department store) on September 22, 2007.

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The defendant shall refrain from any unlawful use of a controlled substance.

A urine sample submitted by Ms. Sexton on September 4, 2007, tested positive for cocaine.

PRAYING THAT THE COURT WILL ORDER that the releasee participate in the U.S. Probation Office and the Bureau of Prisons' sanctions center program for a period not to exceed 180 days.

ORDER OF COURT

Considered and ordered this _____ day of _____, 2007, and ordered filed and made a part of the records in the above case.

Maurice B. Cohill, Jr.
Senior U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 25, 2007



Verlie Howard, Jr.
U.S. Probation Officer



Paul J. Dippolito
Supervising U.S. Probation Officer

Place: Pittsburgh, Pennsylvania

*PROB 49
(1/89)

United States District Court

Western District Of Pennsylvania

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall participate in the U.S. Probation Office and the Bureau of Prisons' sanction center program not to exceed 180 days.

Witness:



Verne Howard
United States Probation Officer

Signed:



Joy Sexton
Probationer or Supervised Releasee

10-24-07
Date